IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

WP(C).No. 13741 of 2007(J)

PETITIONER:

BINDU B., AGED 28,
D/O.BHASKARAN PILLAI,PANKUVILLA PUTHEN VEEDU,
NEDUNGOLAM P.O.,PARVOOR, KOLLAM.

BY ADV. SRI.E.D.GEORGE

RESPONDENTS:

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1. THE REGIONAL MANAGER,
K.S.F.E. REGIONAL OFFICE,KOLLAM.

2. THE MANAGER,
KERALA STATE FINANCIAL ENTERPRISES,
KOTTIYAM, KOLLAM.

BY ADV. SRI.M.SASINDRAN, SC, K.S.F.E., LTD.
ADV. SHRI. M.L.SAJEEVAN, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 13741/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE DISABILITY CERTIFICATE DATED 09/04/99.

P2 : COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT DATED 01/12/2005.

P3 : COPY OF REPRESENTATION DATED 04/07/2006.

P4 : COPY OF REPORT DATED 20/11/2006 OF THE 1ST RESPONDENT.

P5 : COPY OF NOTICE DATED 04/04/2007 ISSUED BY THE 2ND RESPONDENT.

// TRUE COPY //

PA TO JUDGE

jg

S. SIRI JAGAN, J.

W.P.(C)NO.13741 OF 2007

DATED THIS THE 13th DAY OF JUNE, 2007

JUDGMENT

The petitioner is a physically handicapped lady. She stood as surety for payment of price money to her elder sister's husband given by the respondents in a chitty transaction. Now amounts are due in respect of the same, in repayment of the amounts due under the chitty and the petitioner has approached this Court aggrieved by the coercive proceedings for recovery of the same. The petitioner submits that she is entitled to the benefit of One Time Settlement Scheme, which is available in the 2nd respondent establishment. At the time of admission, an interim stay was granted on condition that the petitioner pays an amount of Rs.25,000/- (Rupees Twenty Five thousand only) within one month. Both sides submit that the petitioner has already paid the amount as directed by this Court. The only question that remains now is as to whether the petitioner is entitled to claim One Time Settlement Scheme in respect of the balance amount payable. The respondents do not dispute that a scheme for One Time Settlement is in force. In the above circumstances, it is only appropriate that the respondents consider the petitioner's claim for

One Time Settlement Scheme.

Accordingly, I direct the respondents to consider the petitioner's claim for One Time Settlement Scheme and pass appropriate orders thereon as expeditiously. Till orders are passed on the claim of the petitioner, further coercive proceedings shall be kept in abeyance. This is subject to the condition that the petitioner shall file an application for One Time Settlement Scheme within one week from today.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd